

ASSEMBLY BILL

No. 1720

Introduced by Assembly Member Bloom

February 13, 2014

An act to amend Section 35554 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1720, as introduced, Bloom. Vehicles: bus gross weight.

Existing law generally prohibits a publicly owned or operated transit system from procuring a transit bus whose weight on any single axle exceeds 20,500 pounds. Existing law, until January 1, 2015, exempts from this prohibition a transit system that is procuring a new bus that is of the same or lesser weight than the bus it is replacing, or if it is incorporating a new fleet class into its inventory and its governing board makes certain findings.

This bill would extend the operation of those exceptions until January 1, 2016.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 35554 of the Vehicle Code, as amended
- 2 by Section 3 of Chapter 771 of the Statutes of 2012, is amended
- 3 to read:
- 4 35554. (a) (1) Notwithstanding Section 35550, the gross
- 5 weight on any one axle of a bus shall not exceed 20,500 pounds.

(2) A transit bus procured through a solicitation process pursuant to which a solicitation was issued before January 1, 2013, or ~~though~~ *through* a solicitation process pursuant to subdivision (d) is not subject to this subdivision.

(b) A transit bus is not subject to Section 35550.

(c) A transit bus shall not operate on the Dwight D. Eisenhower System of Interstate and Defense Highways in excess of the weight limitation for transit buses specified in federal law.

(d) (1) A publicly owned or operated transit system or an operator of a transit system under contract with a publicly owned or operated transit system shall not procure, through a solicitation process pursuant to which a solicitation is issued on or after January 1, 2013, a transit bus whose *gross* weight on any single axle exceeds 20,500 pounds except as follows:

(A) It may procure and operate a new bus ~~exceeding whose gross weight exceeds~~ 20,500 pounds *on any single axle* that is of the same or lesser *gross weight per axle* than the bus it is replacing.

(B) It may procure and operate a new transit bus ~~exceeding whose gross weight exceeds~~ 20,500 pounds *on any single axle* in order to incorporate a new fleet class into its inventory if its governing board adopts a finding at a public hearing that the fleet class expansion or change in fleet classes is necessary to address a need to serve a new or existing market pursuant to its most recently adopted short-range transit plan, or to meet a federal, state, or regional statutory or regulatory requirement, and includes a consideration of vehicle needs and fleet size.

(2) If the governing board of the publicly owned or operated transit system holds a public hearing to consider a procurement made pursuant to subparagraph (A) or (B) of paragraph (1), the board shall provide written notice to those cities and counties on whose roads the bus would travel of the public hearing at which this procurement is to be considered and shall place in the public record any comment of concern the board receives about the procurement.

(3) For purposes of this subdivision “fleet class” means a group of transit buses designated by a publicly owned or operated transit system or an operator under contract with a publicly owned or operated transit system that owns those transit buses, if the transit buses have a combination of two or more of the following similar defining characteristics:

- 1 (A) Length.
- 2 (B) Seating capacity.
- 3 (C) Number of axles.
- 4 (D) Fuel or power system.
- 5 (E) Width.
- 6 (F) Structure.
- 7 (G) Equipment package.

8 (e) This section shall remain in effect only until January 1, ~~2015~~
9 ~~2016~~, and as of that date is repealed, unless a later enacted statute,
10 that is enacted before January 1, ~~2015~~ ~~2016~~, deletes or extends
11 that date.

12 SEC. 2. Section 35554 of the Vehicle Code, as added by
13 Section 4 of Chapter 771 of the Statutes of 2012, is amended to
14 read:

15 35554. (a) (1) Notwithstanding Section 35550, the gross
16 weight on any one axle of a bus shall not exceed 20,500 pounds.

17 (2) A transit bus procured through a solicitation process pursuant
18 to which a solicitation was issued before January 1, 2013, is not
19 subject to this subdivision.

20 (b) A transit bus is not subject to Section 35550.

21 (c) This section shall become operative on January 1, ~~2015~~
22 ~~2016~~.